

## Allowing arguments in bail reduction hearings

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HB 378 by Gallego/Rosson

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DIGEST:	HB 378 would have required the judge in a felony case to allow the prosecutor and defense attorney to present arguments regarding bail reduction before reducing the bail.
GOVERNOR'S REASON FOR VETO:	"The adequacy or inadequacy of bond amount is solely a judicial function and the already crowded dockets of the courts of this state should not be further burdened by the requirement of a hearing . . ."
RESPONSE:	Rep. Pete Gallego, author of HB 378, said: "Judges should be informed about a defendant's acts and background before deciding on bail reduction." Prosecutors sometimes are not even informed of the motion for reduction, and thus cannot even notify victims of the defendant's release, as required by law. The bill would have protected the prosecutor and the victim. It also would have protected the defendant from unscrupulous bonding companies that reduce the amount of the bail without telling the defendant but charge for the original amount of the bail, said Rep. Gallego.
NOTES:	HB 378 was analyzed in the May 6 <i>Daily Floor Report</i> .